IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.647 OF 2006

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Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

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Shri M.S.Karnik for the Appellant.
Shri P.B.Shah for the Respondent No.3.

CORAM : ABHAY S.OKA, J.
DATED : JULY 18, 2007.

P.C.:

1. Heard learned Advocates appearing for the parties. The Second Appeal is by the unsuccessful Plaintiff. The courts below have recorded a concurrent finding of fact that the Appellant-Plaintiff has failed to prove his right or user over the suit property.

2. The grievance of the Appellant is that the Appellate Court has not properly considered the evidence as the Appellate Court has commented upon the amendment carried out by the Appellant-Plaintiff to the plaint at a later stage of the proceedings. After perusal of the judgments of both the Courts below, I find that there are concurrent findings recorded of facts on consideration of the evidence on record. No substantial question of law arises. Second Appeal is dismissed with no orders as to costs.

JUDGE